

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20253 of 2015

Arising Out of PS.Case No. -20 Year- 2009 Thana -ASARGANJ District- MUNGER

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1. Shiva Nand Jha @ Nunu Jha, son of Bhuneshwar Jha, resident of village
- Pansain, PS - Asarganj, District - Munger.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pathak Dhananjay Kumar, Advocate

For the Opposite Party/s : Mr. Manish Kumar No.2, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

3/ 07-10-2015

Heard learned counsel for the Petitioner and the
State.

The Petitioner seeks bail in a case instituted for the
offence under Section(s) 302 and other allied Sections Indian
Penal Code and Section 27 of the Arms Act.

Prayer of the Petitioner for bail was earlier rejected
thrice by this Court.

Considering that the Petitioner is in custody for about
six years and end of the trial does not seem to be insight as also
the undertaking of the Petitioner that he will present on each date
of trial for which his mother is ready to become one of surety, let
the Petitioner, above named, be released on bail on furnishing bail
bond of ₹5,000/-(Five Thousand) with two sureties of the like
amount each or any other surety to be fixed by the Court below to
the satisfaction of the Additional Sessions Judge, 1st, Munger, in

connection with Sessions Trial No.679 of 2010 arising out of
Asarganj P.S. Case No.20 of 2009, subject to the conditions:

- (i) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner and another bailor shall be the mother of the Petitioner. The bailors will undertake to furnish information to the court about any change in the address of the petitioner,
- (ii) That the affidavit shall clearly state that the petitioner is not an accused in any other case and, if he is, he shall not be released on bail,
- (iii) That the bailors shall also state on affidavit that they will inform the court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse,
- (iv) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

JA/-

(Anjana Prakash, J)

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